

Message Text

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PAGE 01 STATE 012366

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TO AMEMBASSY MANILA

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E.O. 11652: GDS

TAGS: PFOR, RP

SUBJECT: PHILIPPINE EMBASSY INCIDENT:U.S. V. LECHOCO

1. ON JANUARY 16, 1975 THE GRAND JURY OF U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA RETURNED A NINE-COUNT INDICTMENT AGAINST NAPOLEON B. LECHOCO FOR VARIOUS VIOLATIONS OF U.S. AND D.C. CODES IN CONNECTION WITH THE SUBJECT INCIDENT IN NOVEMBER 1974. THE SPECIFIC COUNTS OF THE INDICTMENT ARE AS FOLLOWS:

FIRST COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, WILFULLY, KNOWINGLY AND UNLAWFULLY DID SEIZE, CONFINE, KIDNAP, AND ABDUCT EDUARDO Z. ROMUALDEZ, WHO WAS THEN A FOREIGN OFFICIAL AS DEFINED IN SECTION 1116(B) OF TITLE 18, UNITED STATES CODE, THAT IS, AN AMBASSADOR OF THE REPUBLIC OF THE PHILIPPINES, FOR THE PURPOSE OF OBTAINING THE RELEASE OF ANOTHER INDIVIDUAL WHO WAS THEN IN THE REPUBLIC OF THE PHILIPPINES. (VIOLATION OF TITLE 18, U.S. CODE, SECTION 1201(A)(4))

SECOND COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE LIMITED OFFICIAL USE

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PAGE 02 STATE 012366

DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, WHILE ARMED

WITH A DANGEROUS WEAPON, THAT IS, A PISTOL, WILFULLY,

KNOWINGLY AND UNLAWFULLY DID SEIZE, CONFINE, KIDNAP AND ABDUCT EDUARDO Z. ROMUALDEZ, WITH INTENT TO HOLD AND DETAIN THE SAID EDUARDO Z. ROMUALDEZ FOR REWARD, RANSOM AND OTHERWISE, THAT IS, FOR THE PURPOSE OF OBTAINING THE RELEASE OF ANOTHER INDIVIDUAL WHO WAS THEN IN THE REPUBLIC OF THE PHILIPPINES. (VIOLATION OF TITLE 22, D.C. CODE, SECTION 2101, 3202)

THIRD COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, DID WILFULLY AND BY MEANS OF A DEADLY AND DANGEROUS WEAPON, THAT IS, A PISTOL, ASSAULT, IMPRISON, AND OFFER VIOLENCE TO EDUARDO Z. ROMUALDEZ, WHO WAS THEN A FOREIGN OFFICIAL AS DEFINED IN SECTION 1116(B) OF TITLE 18, UNITED STATES CODE, THAT IS, AN AMBASSADOR OF THE REPUBLIC OF THE PHILIPPINES. (VIOLATION OF TITLE 18, U.S. CODE, SECTION 112(A))

FOURTH COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, DID WILFULLY AND BY MEANS OF A DEADLY AND DANGEROUS WEAPON, THAT IS, A PISTOL, ASSAULT, STRIKE, WOUND, IMPRISON, AND OFFER VIOLENCE TO MARIO S. LAGDAMEO, WHO WAS THEN A FOREIGN OFFICIAL AS DEFINED IN SECTION 1116(B) OF TITLE 18, UNITED STATES CODE, THAT IS, THE ATTACHE OF THE ECONOMIC AFFAIRS DIVISION OF THE REPUBLIC OF THE PHILIPPINES. (VIOLATION OF TITLE 18, U.S. CODE, SECTION 112(A))

FIFTH COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, DID WILFULLY AND BY MEANS OF A DEADLY AND DANGEROUS WEAPON, THAT IS, A PISTOL, ASSAULT AND OFFER VIOLENCE TO EMMA BELLO, WHO WAS THEN A FOREIGN OFFICIAL AS DEFINED IN SECTION 1116(B) OF TITLE 18, UNITED STATES CODE, THAT IS, THE SECRETARY TO THE AMBASSADOR OF THE REPUBLIC OF THE PHILIPPINES. (VIOLATION OF TITLE 18, U.S. CODE, SECTION 112(A))

SIXTH COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE LIMITED OFFICIAL USE

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PAGE 03 STATE 012366

DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, WITHOUT JUSTIFIABLE AND EXCUSABLE CAUSE, DID ASSAULT DENNIS W. WHEAT, WITH A DEADLY AND DANGEROUS WEAPON, THAT IS, A PISTOL, KNOWING HIM TO BE A MEMBER OF THE METROPOLITAN POLICE DEPARTMENT OPERATING IN THE DISTRICT OF COLUMBIA, WHILE THE SAID DENNIS W. WHEAT WAS ENGAGED IN THE PERFORMANCE OF HIS OFFICIAL DUTIES. (VIOLATION OF TITLE 22, D.C. CODE, SECTION 505(B))

SEVENTH COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, ASSAULTED DENNIS W. WHEAT WITH A DANGEROUS WEAPON, THAT IS, A PISTOL. (VIOLATION OF TITLE 22, D.C. CODE, SECTION 502)

EIGHTH COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, ASSAULTED LOUIS D. UDVARI WITH A DANGEROUS WEAPON, THAT IS, A PISTOL. (VIOLATION OF TITLE 22, D.C. CODE, SECTION 502)

NINTH COUNT: ON OR ABOUT NOVEMBER 18, 1974, WITHIN THE DISTRICT OF COLUMBIA, NAPOLEON B. LECHOCO, DID CARRY, OPENLY AND CONCEALTED ON OR ABOUT HIS PERSON, AND NOT IN HIS DWELLING HOUSE AND NOT IN HIS PLACE OF BUSINESS AND NOT ON OTHER LAND POSSESSED BY HIM, A DANGEROUS WEAPON CAPABLE OF BEING SO CONCEALED, THAT IS, A PISTOL, WITHOUT A LICENSE THEREFORE ISSUED AS PROVIDED BY LAW. (VIOLATION OF TITLE 22, D.C. CODE, SECTION 3204)

2. THE CASE HAS BEEN ASSIGNED BY THE U.S. ATTORNEY TO THE CHIEF OF HIS CRIMINAL DIVISION, ASSISTANT U.S. ATTORNEY WILLIAM COLLINS, JR., AN EXPERIENCED TRIAL ATTORNEY WHO HAS A DISTINGUISHED TRIAL RECORD. IN DEPARTMENT'S EVALUATION, HE IS BEST POSSIBLE SELECTION TO HANDLE THIS PROSECUTION. ASSISTANT LEGAL ADVISER FIELDS HAS BEEN ASSIGNED BY THE ACTING LEGAL ADVISER TO PROVIDE ANY ASSISTANCE NECESSARY AND TO ACT AS LIAISON BETWEEN THE DEPARTMENT AND THE PROSECUTOR'S OFFICE.

3. DEPARTMENT UNDERSTANDS THAT CHIEF JUDGE HART HAS ASSIGNED THE CASE TO JUDGE HOWARD F. CORCORAN, A SENIOR JUDGE OF THE U.S. DISTINCT COURT FOR THE DISTRICT OF LIMITED OFFICIAL USE

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PAGE 04 STATE 012366

COLUMBIA WHO HAS SERVED ON THE COURT SINCE EARLY 1965. HE IS HELD IN HIGH ESTEEM BY OTHER MEMBERS OF THE COURT AND THE BAR, AS A WHOLE. THERE IS NO DOUBT THAT HE WILL PRESIDE OVER THIS TRIAL WITH JUDICIAL FIRMNESS AND BALANCE. HE WILL INSURE THAT THERE IS ABSOLUTE DECORUM IN THE COURTROOM AT ALL TIMES AND WILL FULLY APPRECIATE THE DIPLOMATIC STATUS OF THE AMBASSADOR AND OTHER DIPLOMATIC WITNESSES.

4. ARRAIGNMENT WILL TAKE PLACE DURING NEXT WEEK (WEEK OF JANUARY 20, 1975) AT WHICH TIME LECHOCO WILL ENTER HIS PLEA TO THE CHARGES. AUSA COLLINS ANTICIPATES AN EARLY MARCH TRIAL DATE. DEPARTMENT WILL KEEP EMBASSY FULLY INFORMED OF ALL DEVELOPMENTS IN THE CASE AND FIELDS WILL DISCUSS BACKGROUND, TRIAL STRATEGY AND LEGAL IMPLICATIONS

MORE FULLY DURING HIS VISIT TO MANILA. HE WILL ALSO
DESIRE TO ASSESS FACTS AND BACKGROUND MATTER BEARING
UPON THE PROSECUTION WHICH ARE UNIQUELY OF PHILIPPINE
ORIGIN DURING THE VISIT.

5. FIELDS WILL ACCOMPANY COLLINS ON INITIAL CALL UPON
AMBASSADOR ROMUALDEZ, MINISTER BELISARIO AND MR.
LAGDAMEO AT PHILIPPINE EMBASSY ON FRIDAY, JANUARY 24,
1975.

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